

RISK MANAGEMENT PROGRAM

"SAVING\$ THROUGH SAFETY"



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RECEIVED

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Ravalli County Commissioners

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Phone: (406) 444-4370

To: County Commissioners
From: Emelia McEwen, Senior Loss Control Specialist *em*
CC: Greg Jackson, Marketing Director and Harold Blattie, Executive Director
Date: 3/1/2007
Re: TRANSFER STATIONS

The MACo Claims office has identified significant problems with landfills and liability linked with falls at transfer stations. A number of accidents and injuries have been reported, and civil suits have been filed against counties in regard to such accidents. The MACo JPIA has paid large settlement amounts to resolve a number of claims. The dump sites which create the problems involve those which allow vehicles to drive to the site and place refuse in dumpsters. However, the dumpsters are often up to ten feet below the cement wall that is built in front of the dumpsters. The difficulty arises because such stations often do not have barriers to prevent such falls.

Recently, the State of Montana Bureau of Building and Measurements has adopted revised building codes which require such stations to have railing protection. The code now specifically provides as part as follows: **1012.1 Where required.** Guards shall be located along open-sided walking surfaces, mezzanines, industrial equipment platforms, stairways, ramps and landings which are located more than 30 inches above the floor or grade below. **1012.2 Height.** Guards shall form a protective barrier not

It seems that you have not yet received the letter from the
Office of the Secretary of the Interior. The letter was dated
the 10th of the month and was sent to you by the post.

Very respectfully,
J. M. Smith

Enclosed you will find the letter from the Secretary of the
Interior.

less than 42 inches (1067 mm) high, measured vertically above the leading edge of the tread adjacent walking surface or adjacent seatboard.

MACo Loss Control Specialists believe the new code can also create a risk, in that such railings will be used by the public as foot rests while dumping refuse from a pickup into the dumpsters. One solution would be for refuse sites to utilize the cement wall in front of the dumpsters as a substitute for the railings. To accomplish this, it would require the following:

- ❑ **Excavating the area in front of the wall to a level of at least 42" below the top of the wall.**
- ❑ **Placing 5' fencing between the sloping areas, the sides of the dumpster.**
- ❑ **Posting signs (KEEP OFF THE WALL).**

MACo suggests that counties proceed with this excavation approach.

If County personnel have other suggestions regarding addressing the problem contact Emelia McEwen or Fred Hansen at 444-4370 or by writing to the above address.